

R E M A R K S

Claims 1-3 and 5-10 are now in this application, and are presented for the Examiner's consideration.

Objection to Specification

A typographical error of the German prior art patent number cited at page 1, line 16 of the application was noted. This error has been corrected.

Accordingly, it is respectfully submitted that the objection to the specification has been overcome.

Rejection of claims under 35 U.S.C. §112

Claims 5-10 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Specifically, it was stated that the claimed features of "each drive mechanism" and "the drive mechanism" are not consistent with "the common drive mechanism" stated in claim 1.

Claim 1 has been amended to recite a common drive mechanism for coupling the levers of the actuators of each pair of brake shoes, and to incorporate the language of claim 4 therein that each common drive mechanism is coupled to two respective levers in such a way, that each lever will simultaneously act as a counter bearing for the drive mechanism for adjusting the other lever.

Since there are at least two pairs of brake shoes, and there is a common drive mechanism associated with each pair of brake shoes, this means that there are at least two common drive mechanisms (32).

Claim 5 has been amended to refer to each common drive mechanism. Claims 9 and 10 have been amended to refer to at least one common drive mechanism.

It is therefore submitted that the claims are now consistent with each other.

In claim 7, it was stated that it is believed that the claimed feature "opposite senses" comprises a typographical error. It is submitted that this language is correct. Specifically, the actuators or transmissions (24) translate the pivotal movement of the levers (30) into an axial engaging movement of the brake shoes against the brake disk. As stated at page 4, lines 13-16 of the present specification: "When the spindle drive 34 is driven by the electric motor 36, the push rods 38 are withdrawn in opposite directions, so that the levers 30 associated therewith are pivoted in opposite rotary directions" (emphasis added). Thus, since the levers 30 are pivoted in opposite directions, the transmissions or actuator (24) rotate in opposite directions, and thereby operate in opposite senses.

Accordingly, it is respectfully submitted that the rejection of claims 5-10 under 35 U.S.C. §112, second paragraph, has been overcome.

Prior Art Rejection

Claims 1-10 were rejected under 35 U.S.C. §103(a) as being obvious from U.S. Patent No. 2,768,710 to Butler in view of German Patent No. DE 20203794 to Argady et al. However, U.S. Patent Publication No. 2005/0034937 was used in the rejection in place of the Argady et al German patent because it is in the English language and is the English language equivalent of the German document.

In the first place, it is noted that the limitations of claim 4 have been added to claim 1, and claim 4 has therefore been canceled.

According to column 3, lines 68 to 71 and column 4, lines 7 to 17 of Butler, the two pairs of brake shoes are actuated by the same operating rod (not shown), which causes the levers 69, 70 (Figs. 2 and 3) to rotate in the same direction, so that, via the shafts 62, 66, the two levers 52 are also rotated in the same direction to press the brake shoes against the brake disk. The reaction forces of all the brake shoes are transmitted in an opposite direction to this same direction, along the same drive train and are consequently absorbed by a counter-bearing (not

shown) that supports the operating mechanism which generates the actuating force for the single brake operating rod. Thus, the reaction forces of both pairs of brake shoes have to be supported by one and the same frame member which must therefore have a high rigidity.

According to the present invention, as claimed in present claim 4, each common drive mechanism is coupled to the respective two levers in such a way that each lever will simultaneously act as a counter-bearing for the drive mechanism of the other lever. Thus, as shown in Fig. 1 of the present application, the drive mechanism 32 operates to rotate the two levers 30 connected thereto in opposite directions, so that the reaction forces of the two brake mechanisms act upon the drive mechanism 32 in opposite directions and cancel each other, without any load being applied to the machine frame. This aspect is clearly not disclosed or even remotely suggested by Butler nor by any of the other cited references, and therefore, constitutes an inventive step. In fact, as discussed above, Butler teaches that the levers operate in the same direction, thereby being completely contrary to the present claimed invention.

In this regard, the limitations of claim 4 added to claim 1 recite "each common drive mechanism being coupled to two levers in such a way, that each lever will simultaneously act as a counter bearing for the drive mechanism for adjusting the other

lever." As discussed above, this is completely contrary to Butler, and as a result, the frame member of Butler must have a high rigidity. The present claimed invention avoids this problem, without any load being applied to the machine frame.

Agardy et al was not cited against claim 4, and moreover, fails to disclose or even remotely suggest the limitations of claim 4 added to claim 1. Therefore, Agardy et al fails to cure the aforementioned deficiencies of Butler. As a result, even if Agardy et al is combined with Butler, the limitations of amended claim 1 herein would not be disclosed or even remotely suggested by this combination.

Accordingly, it is respectfully submitted that the rejection of claims 1-10 under 35 U.S.C. §103(a) has been overcome.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

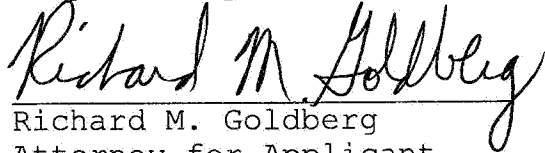
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The Commissioner is authorized to charge any additional fees
which may be required, or credit any overpayment to Deposit
Account No. 07-1524.

In view of the foregoing amendments and remarks, it is
respectfully submitted that Claims 1-3 and 5-10 are allowable,
and early and favorable consideration thereof is solicited.

Respectfully submitted,

A handwritten signature in black ink, reading "Richard M. Goldberg". The signature is written in a cursive style with a horizontal line underneath the name.

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